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On

June 24, 2004  
TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

KINCAID *et al.*

Application No.: 10/677,641

Filed: October 1, 2003

For: IMPROVED PROTEIN  
EXPRESSION BY CODON  
HARMONIZATION AND  
TRANSLATIONAL ATTENUATION

Confirmation No. 4158

Examiner: Not yet assigned

Art Unit: Not yet assigned

COMMUNICATION UNDER

37 C.F.R. §§ 1.821-1.825

AND

PRELIMINARY AMENDMENT

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Sir:

In response to the request to comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, that accompanied the Notice to File Missing Parts of Nonprovisional Application mailed January 22, 2004, Applicants submit herewith the required paper copy and computer readable copy of the Sequence Listing.

Appl. No. 10/677,641

Amdt. dated February 4, 2004

Reply to Notice to File Missing Parts of January 22, 2004

PATENT

**Amendments to the Specification** begin on page 3 of this paper.

**Remarks** begin on page 6 of this paper.